

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICKEY VALCUE POLK,)
Petitioner,) CASE NO. C05-2003-JCC
v.) (CR93-271JCC; CR93-515JCC)
UNITED STATES OF AMERICA,) ORDER DISMISSING MOTION
Respondent.) UNDER 28 U.S.C. § 2255

The Court, having reviewed petitioner's § 2255 motion, the Report and Recommendation of Judge Monica J. Benton, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 (Dkt. #1) is DENIED.
- (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to the Hon. Monica J. Benton.

DATED this 16th day of October 2006.

John C. Carpenter

John C. Coughenour
United States District Judge

ORDER DISMISSING § 2255 MOTION